



United States District Court
SOUTHERN DISTRICT OF CALIFORNIA

Ensource Investments LLC, a Delaware
limited liability company

Plaintiff,

V.

Mark A. Willis, an individual

Defendant.

Civil Action No. 17-cv-00079-H-LL

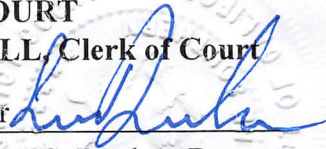
**CERTIFICATION OF JUDGMENT
TO BE REGISTERED IN
ANOTHER DISTRICT**

I certify that the attached judgment is a copy of a judgment entered by this court on 02/19/2020.

I also certify that, as appears from this court's records, no motion listed in Fed.R.App.P. 4(a)(4)(A) is pending before this court, the time for appeal has expired, and no appeal has been filed or, if one was filed, that it is no longer pending.

Date: 6/30/21

CLERK OF COURT
JOHN MORRILL, Clerk of Court

By: s/S. Dunbar 
S. Dunbar, Deputy

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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 ENSOURCE INVESTMENTS LLC, a
12 Delaware limited liability company,
13 Plaintiff,
14 v.
15 MARK A. WILLIS,
16 Defendant.
17

Case No.: 3:17-cv-00079-H-LL

JUDGMENT

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19 On February 4, 2020, this action came before the Court for a jury trial with the
20 Honorable Marilyn L. Huff presiding. (Doc. No. 195.) Bonnie McKnight, Richard E.
21 Nawracaj, and Aaron Sadock appeared for Plaintiff Ensource Investments LLC. Shannon
22 D. Sweeney and Michael A. Zarconi appeared for Defendant Mark A. Willis.

23 The issues have been tried, and on February 10, 2020, the jury rendered its
24 unanimous verdict on the following questions:

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Violation of Rule 10b-5 of the Securities Act

1. Did Defendant Mark A. Willis make an untrue statement of a material fact or omit a material fact necessary under the circumstances to keep the statements that were made from being misleading in connection with the sale of securities?

The jury answered: Yes.

2. In making or causing to make these misstatements or omissions, did Defendant Mark A. Willis act [circle only one of the following choices: knowing, reckless, or none of the above]?

The jury answered: Reckless.

3. Did Defendant Mark A. Willis use an instrumentality of interstate commerce, such as electronic mail or telephone, in connection with the sale of securities, regardless of whether the instrumentality itself was used to make an untrue statement?

The jury answered: Yes.

4. Did Plaintiff EnSource Investments LLC justifiably rely on Defendant's untrue statement of a material fact or on the Defendant's omission to state a necessary material fact in buying securities?

The jury answered: Yes.

5. Did Defendant's misrepresentation or omission cause Plaintiff EnSource Investments LLC to suffer damages?

The jury answered: Yes.

6. Please determine the economic loss, if any, incurred by Plaintiff EnSource Investments LLC as a result of the violation of Rule 10b-5 of the Securities and Exchange Act:

The jury answered: \$205,000.00.

Intentional Misrepresentation

7. Did Defendant Mark A. Willis make a misrepresentation of material fact to EnSource Investments LLC?

The jury answered: Yes.

8. Did Defendant Mark A. Willis make a misrepresentation of material fact with knowledge of its falsity or recklessly without any knowledge of the truth and as a positive assertion?

The jury answered: Yes.

9. Did Defendant Mark A. Willis make such misrepresentation of material fact with the intention that it should be acted on by EnSource Investments LLC?

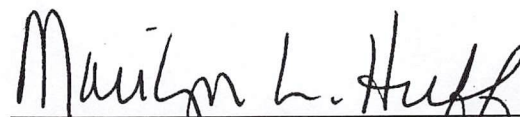
The jury answered: No.

(Doc. No. 211.)

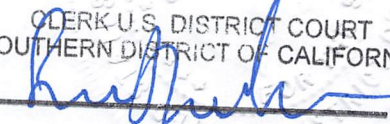
Pursuant to the jury's findings, the Court enters judgment in favor of Plaintiff Ensource Investments LLC against Defendant Mark A. Willis on Plaintiff's Rule 10b-5 Securities Act claim, and the Court enters judgment in favor of Defendant Mark A. Willis against Plaintiff Ensource Investment LLC on Plaintiff's intentional misrepresentation claim.

IT IS SO ORDERED.

DATED: February 19, 2020


MARILYN L. HUFF, District Judge
UNITED STATES DISTRICT COURT

I hereby attest and certify on 6/28/21
That the foregoing document is a full, true and correct
copy of the original on file in my office and in my legal
custody.

CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
By  Deputy